

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

UNITED STATES OF AMERICA,

NO. CR09-81-MJP

Plaintiff,

v.

SUMMARY REPORT OF
U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

GILBERT MOSES, JR.,

Defendant.

An initial hearing on a petition for violation of supervised release was held before the undersigned Magistrate Judge on December 30, 2011. The United States was represented by Assistant United States Attorney Kathryn Warma for Ye-Ting Woo, and the defendant by Lee Covell.

The defendant had been charged and convicted of Assault Resulting in Serious Bodily Injury, in violation of 18 U.S.C. §§ 2, 113(a)(6), 1151(a), and 1153. On or about September 22, 2009, defendant was sentenced by the Marsha J. Pechman, to a term of 37 months in custody, to be followed by 3 years of supervised release.

The conditions of supervised release included the requirements that the defendant comply with all local, state, and federal laws, and with the standard conditions. Special conditions imposed included, but were not limited to, participation in substance abuse and mental health programs, financial disclosure, search, prohibition from entering any

1 establishment where alcohol is the primary commodity, prohibition from drinking alcohol, and
2 participation in mental health treatment to include the Moral Reconciliation Therapy Program.

3 In a Petition for Warrant or Summons, dated December 15, 2011, U.S. Probation
4 Officer Angela M. McGlynn asserted the following violation by defendant of the conditions of
5 his supervised release:

- 6 1. Consuming alcohol on or about December 6, December 7, December 12, and
7 December 14, 2011, in violation of the special condition that prohibits the
8 defendant from consuming alcohol.

9 The defendant was advised of his rights, acknowledged those rights, and admitted to
10 alleged violation number 1.

11 I therefore recommend that the Court find the defendant to have violated the terms and
12 conditions of his supervised release as set forth in violation number 1, and that the Court
13 conduct a hearing limited to disposition. A disposition hearing on this violation has been set
14 before the Honorable Marsha J. Pechman on January 19, 2012 at 10:00 a.m.

15 Pending a final determination by the Court, the defendant has been detained.

16 DATED this 3rd day of January, 2012.

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18 JAMES P. DONOHUE
19 United States Magistrate Judge

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22 cc: District Judge: Honorable Marsha J. Pechman
23 AUSA: Ye-Ting Woo
24 Defendant's attorney: Lee Covell
25 Probation officer: Angela M. McGlynn
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